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6 UNITED STATES DISTRICT COURT
7 EASTERN DISTRICT OF CALIFORNIA

8 ***

9 STRUCTURES UNLIMITED, INC.

Case No.: CIV S-04-1140 EFB

10 Plaintiff,

**STIPULATION OF THE PARTIES TO
DISMISS THE CASE WITH
PREJUDICE**

11 vs.

12 FIRST NATIONAL SURETY COMPANY
OF AMERICA; and DOES 1 through 10
13 inclusive,

14 Defendants.

Honorable Edmund F. Brennan

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16 **IT IS HEREBY STIPULATED** by and between Plaintiff, STRUCTURES UNLIMITED,
17 INC., and Defendant, FIRST NATIONAL INSURANCE COMPANY OF AMERICA, by and
18 through their respective attorneys of record, that since the parties have reached a mutually agreeable
19 out of court settlement in this matter this case should be dismissed with prejudice.

20 Dated: November 21, 2006

LAW OFFICE OF THOMAS M. PAPEZ

21 By /S/ THOMAS M. PAPEZ
22 Attorney for Plaintiff, STRUCTURES
23 UNLIMITED, INC.
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28 **STIPULATION OF THE PARTIES TO DISMISS THE CASE WITH PREJUDICE**

1 Dated: November 21, 2006

LAW OFFICE OF J. MICHAEL PISIAS, JR.

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3 By /S/ JASON Z. JUNGREIS
4 Attorney for Defendant, FIRST NATIONAL
5 INSURANCE COMPANY OF AMERICA

6 **ORDER**

7 The court, having reviewed the above stipulation of counsel and parties, and good cause
8 appearing, therefore:

9 **IT IS SO ORDERED.**

10 Dated: November 27, 2006



11 EDMUND F. BRENNAN
12 UNITED STATES MAGISTRATE JUDGE
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28 **STIPULATION OF THE PARTIES TO DISMISS THE CASE WITH PREJUDICE**

PROOF OF SERVICE

I, Beverly Brown, hereby declare and state that I am a citizen and self employed in the County of Nevada. I am over the age of eighteen years and not a party to the within action. My business address is 10069 West River Street, Suite 5C, Truckee, CA 96161.

On November 21, 2006, I served the within **Stipulation to Dismiss The Case With Prejudice** on the following parties:

Jason Z. Jungreis, Esq.
LAW OFFICE OF MICHAEL J. PISIAS, Jr.
177 Post street, Suite 700
San Francisco, CA 94108-4725

XXX (BY MAIL) I placed a true and correct copy of the within document(s) in a sealed envelope, with postage thereon fully prepaid for first-class mail, for collection and mailing on the parties in said action. I am readily familiar with the daily practice of the law offices of Thomas M. Papez, of collecting and processing of correspondence for mailing with the United States Postal Service.

— **(BY PERSONAL SERVICE)** I personally delivered by hand a true and correct copy of said document(s) to the addressee(s) noted above.

— **(BY FACSIMILE)** I transmitted a true and correct copy of said document(s) by use of facsimile machine fax no. (530) 550-1759 to the parties and fax numbers stated above. The facsimile machine I used complied with California Rules of Court, Rule 2003 and no error was reported by the machine.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on November 21, 2006 at Truckee, California.

/s/ Beverly Brown

STIPULATION OF THE PARTIES TO DISMISS THE CASE WITH PREJUDICE